

LAND USE AND ZONING COMMITTEE

August 21, 2008

The Land Use and Zoning Committee hereby find and determine that all formal actions were taken in an open meeting and that all deliberations of the Land Use and Zoning Committee, which resulted in formal action, were taken in a meeting open to the general public, in full compliance with applicable legal requirements of Section 121.22 of the Ohio Revised Code.

The meeting was called to order at 6:55 p.m.

The following members were present: Messrs. Bodnar, Klco, Welch, Terriaco, and Messes. Ross and Diak. Staff: David Radachy

Concord Township-Text Change

Concord submitted text changes to Sections XXII (District Regulations), XXXVIII (Landscaping and Screening), V (Definitions), and XXIX (Parking). Staff explained that these were changes to the regulations because there were issues on how they were written.

In Section XXII, Concord Township was increasing the site plan size exemption for accessory buildings from 200 square feet to 1500 square feet because that is the maximum accessory building square footage that a property owner can have on an R-1 lot. It is a burden to require a property owner to submit for a site plan review on an accessory structure in a B-1 district when an owner in R-1 lot could have the same size building approved administratively.

In Section XXXVIII, the Township lowered the mound height from three feet to two feet. This would allow for new storm water detention techniques. They also raised the fence height for side and rear yard in the business zones from 4 feet to 8 feet, which is the residential standard.

In Section V, the Township created definitions of floor area, gross; floor area, usable; story; and story and a half. These are terms that are being used in recent text changes and needed to be defined. The two floor area definitions were meant for the parking regulations.

The Township added useable floor area to several of the parking standards because it was a fairer way to administer the parking code. For example, they are now using useable floor area for Veterinary Clinic because of the large amount of space used for storage of supplies and animal waiting areas.

There was no discussion.

Mr. Welch made a motion to recommend the text changes.

Mr. Terriaco seconded.

All voted "Aye".

Motion passed.

Painesville Township

Text Change to Section 25

The text change involved adding language that would require a conditional use to be obtained after the Trustees approve a similar use. Staff recommended that conditions should be established in Section XII for similar uses and this language should be added to B-1, B-2, B-3, and I-2.

This part of the text change would make rock crushers and storage of hazardous materials prohibited in the light industrial zone. Staff recommended that this text should be in Section 6.02 and it should be broken up by use. 6.02 K would be rock crushing, 6.02 L would be storage of hazardous material... This way they would be prohibited in all zones.

The committee agreed that this language should be prohibited uses.

Mr. Klco made a motion to recommend the text changes with staff's suggestions.
Mr. Welch seconded.

All voted "Aye".
Motion passed.

District Change 1.983 Acres R-1 to B-1

Staff showed the property air photo and discussed the history of the request. Staff stated that this is the second time that the owners asked for the district change. They asked for the district in 1994 and were denied. Staff then stated that the Township changed zoning on what was left of the property that had their ice cream stand from B-2 to R-1 in July, 1994. The owners of the ice cream stand then moved to behind the gas station on Liberty when the other store was torn down. Now the owner of the land that the ice cream store is on wants to use it to expand the gas station to the south and wants to tear down the building so the ice cream stand owners are making the request again.

Staff showed the land use of the area, the zoning map of the area and the 2007 Comprehensive Plan map. Staff recommended the district change be denied because it does not conform to the 2007 Comprehensive Plan.

The committee discussed that there are other places that this business can go.

Mr. Bodnar made a motion to accept staff's recommendation that the Township should not accept the district change.
Mr. Klco seconded.

All voted "Aye".
Motion passed.

Meeting adjourned at 7:20 PM.